G. R. S. IX-5]

Previous references.

File No. 260/09

1909

(S. R.)

Serial Nos. 1 and 2

Later references.

20 P

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 and 2

Part B for November 1916.

SUBJECT.

Claim to the Toddy Excise Revenue of Sarvamanya Kilture village Heggadadevanakote T K, Mysore Dt

---

Sl 2

No 7l 2615–6 dt 23. 11. 16. To the Excise Commr & Comptroller.

Allows the claim of the Inamdar to the Excise Revenue

W D 88—GPB—50,000—24-7-16

A. Jawalkar
10–3–17.

G.R.S. 11] 1909.

GENERAL AND REVENUE SECRETARIAT.

(807)

NOTES.

File No. 26-09

FILE HEADING.

Claim to the body of one Servamanayan Kittiah of village Vegapadaramkole taluk

From The Agent Coast

No. 734 Dated 21/7/09 Received 24/7/09

Diary No. 435 Enclos. (1) Spare Copies Serial No. 1

BRIEF ABSTRACT OF LETTER.

Submits the record and states that as recommended by the Superintendent of Police the claim may be allowed

NOTES AND ORDERS.

1. The deceased belonged to "Kachal Kum
It was also reported to the State only
the clerk of Sandal. At the Kuam
Settlement Conducted in 1879-1880
the Kuam Register was in Col 9

NOTES—First sheet

GPB—30,000—3-4-07.

Serial No.

recorded that "Sayer Seedi Jowki
"excise-Renewal are enjoyed according
"to the tenure of the Sanad" The
item of "Seedi" is also included
among the items of revenue
enjoyed by the Ravendar of the
time. The Diwan Sahib ~~after~~
has after perusing the original
Sanad confirmed the ~~the~~
recommendation of the Asst.
2. As regards enjoyment
the Ravendar has produced
evidence excise for the period
from 1883 to 1890. and this break
is accounted to be due to the
mismanagement & irregularity
of the Manager of the village
who held a General power of
attorney from the Ravendar
& who was subsequently removed
the Investigating Officer and the
Dy. Comr as also the Excise Comr
are of opinion that this break
may be condoned as it has been
satisfactorily explained and as
there sufficient proof of long
enjoyment Commencing from

Note—Contn. sheet.

GPB—50,000—13-5 08

Serial No. 8868

3. The village has a Mosque and about 100 or 150 trees. The Mosque has its supply of water from outside & from where it is not made clear. The Karnam is ignorant of this point. Even if there be trees in the village it is likely that it gets ~~suffers~~ further supply of water ~~also~~ from outside - source or private or both - The proposal is recommended therefore to be regulated by rules 2, 3, 5, 6 & 12. The possibility of giving to any Karnam village the tax on trees collected outside under rule 12, subsequent to the year 1907-08 is under Consideration of the Board -

4. On the principle of rule 12, the Taluk Comprises places in para 6 of the letter under disposal. Viz. - it is not an innovation brought into by the D. T. system but that it has been in existence

GPB—50,000—13-5-08

Serial No.

the absence of proof of enjoyment from 1883 to 1892 and the recognition of the claim of the Zemindar under rules 2, 3, 5, 6 & 12.

8. The applicability of the last rule is a matter which is under the consideration of Govt.

9. There is a shop in the village and also sometimes but the chief source of supply of boody seems to be from Govt lines outside the village limits.

9/11/09 SR

Dewan Thro' 1st Cr)

10. The recommendations of the Investigating Officer, Deputy Commr and Excise Commissioner are unanimous and I see no reason to differ from them.

11. The absence of proof of enjoyment from 1883 to 1890 does not invalidate the claim, considering the

NOTE—Contn. sheet.

GPB—50,000—13-5 08

Serial No.

Satisfactory nature of the proof of enjoyment before that period & subsequently and has been accounted for. It may be overlooked 13. The allusion to Ragi Bhoja Sendi in the order of 1868 shows that in those days Ragi Bhoja Sendi used to be manufactured for sale. The documents produced in the case prove beyond doubt that date toddy shop existed in the village all along. Probably Ragi Sendi was also sold along with date toddy 14. The claim may be admitted

2490
14.9.09

11/9/09

SD
13/9/09

14. Draft sub: accordingly recognising the claim. Rao Sahib

10/11/15

11-11-09

L S
II 6.

NOTE—Contn. sheet.

GPB—50,000—13-5 08

G. R. S. 12]
General and Revenue Secretariat.

S.R. File No. 11/26 of 1909

(17)

Serial No.

15 The Draft / Act shall be

(Fines) may be appd
This falls under Sch II S (6)

Pol

2D in Sub

17

Govt - Offences - Refer
Draft (Hon Members)
Fees

4/12/15

16 As in the case of the S. I. where
punishments, the imprisonment of upto
& the villages is repeated "the
outside town not belonging to the villages"
It seems proper & desirable
keeping rules until the time of the
Revised Rules now under consideration

4/12/15

17 To be kept pending

Pol 4/12/15

Returned for orders.
3/11/16. (Revised) 6/11/16.

16 The Draft as originally put up in
accordance with the views expressed by the late
2nd Member may be approved

(2nd Member) 14/11/1916
Agreed

20 Approved by 1st Member 15/11/1916
18/11 16/11/16 18/11

Dr. 2 Dy Draft-5 Subd

L S
II 6

S.R. 67-09 (Separately bnd)

416
16.11.16.

623/16.11

NOTE—Contn. sheet.

GPB—50,000—1855

(48)

. R. S. 12]

General and Revenue Secretariat. | SR. File No. 26 of 1907.

Serial No.	
	21) Extracted for information Dewan) Ltr 8/11/16 GPB
	22) The orders of Mr Dewan are attached to SR-15/05. This file may be recorded. Sd/- [Dewan's orders in triplet "Seen" Sd/- M.V. 23/1/17] Sd/- 23/1/17
2.	To the Excise Commissioner and Comptroller. NOTE 2615-6 D 23.11.16. Allows the claim of the Inamdars to the Excise Revenue.

NOTE—Contn. sheet.

GPB—20,000—30-6-15.

D 435 8th 26-09 8L (1)

Excise Commissioner's Office,

No. 734 Dated, Bangalore, 21st July 1909.

From

H. H. Sparkes, Esquire,
Excise Commissioner
in Mysore.

To

K. S. Chandrasekhara Aiyar, Esq., B.A., B.L.,
Secretary to the Government of His Highness the
Maharaja of Mysore, General and Revenue Depts.

Sir,

I have the honor to submit herewith the records of enquiry relating to the claim of the Inamdar to the Excise revenue from -- toddy of Sarvamanya Kithur village in the Heggadadevankote Taluk of the Mysore District, together with the correspondence ending with the Deputy Commissioner's Memo No.24, dated the 6th July 1909 and to state that I concur in the opinions recorded both by the investigating - - officer and the Deputy Commissioner that the Inamdar is entitled to the Excise revenue from toddy of the village.

2. This village was granted on Sarvamanyam tenure to Chikka Lingarajayya by His Highness the late Maharaja Sri Krishnaraja Wadayar Bahadur under a Sannad dated the 23rd September 1824, which conceded "Eachalpairu" to the Inamdars along with certain other items of - - revenue. This term occuring along with other taxes has to be - - construed as expressing the Excise revenue from toddy agreeably to the

decision

decision of Government in the case of Sivansamudram, Hariharpur, Udapur, Madapura and other villages.

3. At the Inam Settlement conducted in the years 1879 and 1880 the Inam Assistant has recorded in para 4 of column 19 of the Inam Regis-ter of enquiry of the village that Sayer, Sendi and forests except Sandal, are enjoyed according to the tenure of the Sannad. Besides "Sendi" finds a place under items enjoyed. The Inam Superintendent has recorded in para 2 of column 20 as follows : -

"Confirmed free as above".

In the Title-Deed issued by the Superintendent of Inam Settlements, the item of sendi has been allowed to the Inamdars.

4. As regards the enjoyment of the revenue, if the Memo of "Sendi" revenue stated to have been prepared from the village accounts in response to a requisition from the Chamarajnagar Taluk were to be admitted as valid, as observed by the investigating officer, the Inamdar was exercising the right ever since the alienation of the village. In 1868 an order was issued to the effect that Ragibhoja sendi might be manufactured and vended in the village but not outside its limits. It is in evidence that Messrs R. N. Taylor and Co., Messrs Brown and Ruchmalal and Messrs Davy Mudappa and Co., were paying the Inamdar certain amounts on account of the toddy Excise of the village. This brings the period of enjoyment up to the end

of

of 1883. The Inamdar has satisfactorily explained the circumstances under which he is unable to produce evidence of enjoyment during the years 1883 to 1890. The Mutchalika executed by Messrs R.C.Muddappa and Co., brings the period of enjoyment up to the end of 1892.

5. There is a toddy shop but there is no date grove in the village The Inamdar's claim to the toddy revenue which is supported by the terms of the Sannad, the Inam Settlement as well as by long enjoyment has to be allowed subject to Rules 2, 3, 5, 6 and 12 contained in -- Government Order No.2074-83/R.F.166-92, dated the 2nd August 1901, as recommended by the investigating officer and the Deputy Commissioner.

6. As regards the application of Rule 12 I beg to point out that the Deputy Commissioner has not been uniform in his decisions. While he has applied the rule in the first set of cases noted in the margin, he is unwilling to give the benefit of the Rule in the second set of the marginally noted cases. So far as the application of rule 12 is concerned the two sets of cases are exactly identical. The principle that the revenue, both shop-rental and tree-tax, should go to the place of consumption is not an innovation brought by the tree-tax system. It has been in existence from a very long time. In the investigation records of the claims of the Inamdars to toddy excise, it is not unusual to find Inamdar's toddy given to Government shops at one anna or so per ghada and vice versa. This one anna represents

nothing

II. (1) Kalkipura - This office Lr. 1377, dated 30.7.08
(2) Konahalli - do - 8767, " 29.3.09
(3) Yelahanka - "

I. (1) Hoskote - Govt Order No. K. 3771-3, dated 23-2-09
S.R.107-08-2
(2) Kalkipura - Re Case under reference
(3) Narasapura, Sidlaghatta } - This office Lr. 1059, dated the 24th July 1908

4)

nothing but tree-rent in the modern phraseology. The whole of the revenue from toddy Excise went to the place of consumption.

7. The following are a few of the cases in the Mysore District, to which rule 12 has been applied: -

1.	Hariharpur.	Government Order No.196-8/Ex.F.12-1901, dated the 7th October 1902.
2.	Buiakanahalli, Megadahalli and Negalgere.	Government Order No.565-7/Ex.F.12-01, dated the 6th May 1903.
3.	Koppagala.	Government Order No.593-5/Ex.F.12-01, dated the 14th May 1903.
4.	Madavankodi.	Government Order No.19-20/Ex.F.12-01, dated the 15th July 1903.
5.	Honaganahalli.	Government Order No.61-2/Ex.F.12-01, dated the 28th July 1903.
6.	Yedakola.	Government Order No.167-8/Ex.F.12-01, dated 22nd August 1903.
7.	Vadayadahalli. Ballakere.	Government Order No.301-2/Ex.F.12-01, dated the 10th October 1903.
8.	Hoskote.	Government Order No. Fl.3771-3/ S.R.107-08-2, dated 23-2-09.
9.	Karagalli.	Government Order No. Fl.3777-9/ S.R.16-08-4, dated 23-2-09.

As pointed out in my letter No.8737, dated the 26th March 1909 in very many cases falling under rule 9, payment has been made under rule 12 also.

I have the honor to be,

Sir,

Your most obedient servant,

Excise Commissioner.

26-09-1
4435

190

From

H. H. Sparkes, Esquire,

Excise Commissioner

To in Mysore.

K.S.Chandrasekhara Aiyar, Esq.,
B.A., B.L.,
Secy. to the Govt. of H.H. the
Maharaja of Mysore, Genl. and
Rev. Depts.

Dated

21st July 1909.

Despatched

Received

General No. 734

No.

Enclosure No. 1 full

Subject.

Submitting the records of enquiry relating to the claim of the Inamdar the Excise revenue from toddy of - - Sarvamanya Kithur village in the - - Heggadadevankote Taluk of the Mysore District.

---------- ------

DIARY No. 897

10 -10
SECTION S-R.
FILE No.
SERIAL No.

6)

OFFICE OF THE EXCISE COMMISSIONER IN MYSORE,

Bangalore, dated 5th ~~September~~ *1911.*

No 2109

8

From

K. Doraswami Iyer, Esq.,

Offg: *Excise Commissioner in Mysore.*

To

C. S. Balasundram Iyer, Esq., B.A.,

Offg: *Secretary to the Government of*
His Highness the Maharaja of Mysore,
General and Revenue Departments.

SIR,

In submitting herewith for favour of information and return petition registered No. 470, dated the 31st Ultimo from Mr. A. C. Lingaraj Urs Inamdar of Kittur, Heggadadevankote Taluk, praying for the speedy settlement of his claim to the Excise Revenue from toddy of the aforesaid village, I have the honor to invite kind reference to my letter No. 734, dated the 14th July 1909 submitting the records of investigation relating to the Inamdars claim in ques-tion and to request that the orders of Government may be kindly - - obtained thereto at an early date.

M.D. 4358/09
2-9-09
Decided
13/9/09

I have the honor to be,

Sir,

Your most obedient servant,

for Excise Commissioner.

7

ಫೆಬ್ರ, 1911.

From

K. Doraswamy Iyengar

Offg. *Excise Commissioner in Mysore.*

To

C. S. Balasundaram Iyengar, B.A.,

Offg. *Secretary to the Government of*
H. H. the Maharaja of Mysore,
Genl. and Rev. Depts.

Dated 5. 9. 11

Despatched 8. 9. 11

Received

General No. 2109

Enclosure No. /

SUBJECT.

Requesting that the orders of Govt: may be kindly obtained about the settlement of the claim of Kittur village Heggaddevankote taluk

GPB—2,000—31-7-09

[redacted]

[redacted]

[redacted]

8/

1912.

No. 4229

Name of Petitioner—

Mr. A C. Lingaraj Urs.

Village Lakshmipuram Extension

Taluk— Mysore.

District— —Do—

Date of Arzi— 10-5-12

Date of Receipt— 13-5-12

Date of Disposal—

No. of Enclosure— —

ABSTRACT.

Remmder (See petn of 15-2-1912) re toddy revenue of Sarvamangala Kittur village in the Heggadadevankote Taluk.

DCS. 13/5/12 [Order on No 3962 —

Office: How stands this case? Is Inamdar entitled to Excise Revenue? Has any payment been made? 19/4/12

By Post.
13/5/12

ನಂ ೧೨೨೯

№ 4229.

DEWAN'S OFFICE.
Date of Receipt 13/5/12
Petn. Regr. No 4229

ಸೆಕ್ರೆಟರಿ ಸಾಹೆಬರವರಿಗೆ ಅರ್ಜಿದಾರರಾದ ಪ್ರಸಾದ್ ಅವರಿಂದ

ಸೆಕ್ರೆಟರಿ ಲಷ್ಕರ್ ಕಛೇರಿ - ವಿಷಯ ಸೈನ್ಯದಲ್ಲಿ ಸೈನಿಕರಾಗಿ ಸೇರಿಕೊಳ್ಳುವುದಕ್ಕೆ
ಅಂಗೀಕಾರ ಪತ್ರವನ್ನು ಕೊಡಿಸಿ ಕೊಡಬೇಕಾಗಿ ಪ್ರಾರ್ಥನೆ -

ಸೆಕ್ರೆಟರಿ ಸಾಹೆಬರವರಿಗೆ ನಾನು ಕಳೆದ ಸಂವತ್ಸರ ಸೈನ್ಯದಲ್ಲಿ ಸೈನಿಕನಾಗಿ
ಸೇರಿಕೊಳ್ಳುವುದಕ್ಕೆ ಅಂಗೀಕಾರ ಪತ್ರವನ್ನು ಕೊಡಿಸಿ ಕೊಡಬೇಕಾಗಿ ಪ್ರಾರ್ಥಿಸಿಕೊಂಡಿದ್ದೆನು - ಆಗ
ಸೆಕ್ರೆಟರಿ ಸಾಹೆಬರವರು ಸೈನ್ಯದಲ್ಲಿ ಸೇರಿಕೊಳ್ಳುವುದಕ್ಕೆ ಅಂಗೀಕಾರ ಪತ್ರವನ್ನು ಕೊಡಿಸಿ
ಕೊಡುವುದಾಗಿ ಹೇಳಿ ಕಳುಹಿಸಿದರು - ಆಗ ನಾನು ಸೈನ್ಯದಲ್ಲಿ ಸೇರಿಕೊಳ್ಳುವುದಕ್ಕೆ ಸಿದ್ಧನಾಗಿ
ಸೆಕ್ರೆಟರಿ ಸಾಹೆಬರವರ ಕಛೇರಿಗೆ ಹೋಗಿ ಅಂಗೀಕಾರ ಪತ್ರವನ್ನು ಕೊಡಿಸಿ ಕೊಡಬೇಕಾಗಿ
ಪ್ರಾರ್ಥಿಸಿಕೊಂಡೆನು - ಆಗ ಸೆಕ್ರೆಟರಿ ಸಾಹೆಬರವರು ನಾನು ಸೈನ್ಯದಲ್ಲಿ ಸೇರಿಕೊಳ್ಳುವುದಕ್ಕೆ
ಅಂಗೀಕಾರ ಪತ್ರವನ್ನು ಕೊಡಿಸಿ ಕೊಡುವುದಾಗಿ ಹೇಳಿ ಕಳುಹಿಸಿದರು - ಆಗ ನಾನು ಸೈನ್ಯದಲ್ಲಿ
ಸೇರಿಕೊಳ್ಳುವುದಕ್ಕೆ ಸಿದ್ಧನಾಗಿ ಸೆಕ್ರೆಟರಿ ಸಾಹೆಬರವರ ಕಛೇರಿಗೆ ಹೋಗಿ ಅಂಗೀಕಾರ ಪತ್ರವನ್ನು
ಕೊಡಿಸಿ ಕೊಡಬೇಕಾಗಿ ಪ್ರಾರ್ಥಿಸಿಕೊಂಡೆನು - ಆಗ ಸೆಕ್ರೆಟರಿ ಸಾಹೆಬರವರು ನಾನು ಸೈನ್ಯದಲ್ಲಿ
ಸೇರಿಕೊಳ್ಳುವುದಕ್ಕೆ ಅಂಗೀಕಾರ ಪತ್ರವನ್ನು ಕೊಡಿಸಿ ಕೊಡುವುದಾಗಿ ಹೇಳಿ ಕಳುಹಿಸಿದರು - ಆಗ ನಾನು
ಸೈನ್ಯದಲ್ಲಿ ಸೇರಿಕೊಳ್ಳುವುದಕ್ಕೆ ಸಿದ್ಧನಾಗಿ ಸೆಕ್ರೆಟರಿ ಸಾಹೆಬರವರ ಕಛೇರಿಗೆ ಹೋಗಿ ಅಂಗೀಕಾರ
ಪತ್ರವನ್ನು ಕೊಡಿಸಿ ಕೊಡಬೇಕಾಗಿ ಪ್ರಾರ್ಥಿಸಿಕೊಂಡೆನು - ಆಗ ಸೆಕ್ರೆಟರಿ ಸಾಹೆಬರವರು ನಾನು
ಸೈನ್ಯದಲ್ಲಿ

Fig draft

Allows the claim of the Inamdar to the toddy excise revenue. 10)

G.R.S. 28] 2014

Fig draft

File No. 2609.

Serial No. 2

Diary No. of letter replied to 435

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT.
(S.R.)

, *the* 191 .

READ—

Letter no: 734 of the 21/7/1909 from the Sessions Court in Mysore, submitting the record of enquiry relating to the excise revenue from toddy of Kithur village, Heggaddevankote Tk.

Date of issue 23-11-16

Signed by W Thimmayya

ORDER THEREON.—No. H 2615-6.
dt 23rd November/16

The Sanad alienates "Eachalpaim" and the Inam Settlement concedes the item "Sendi" to the Inamdar and this is included in the items enjoyed by the Inamdar. Evidence of the

over.

SUBJECT.

GPB—50,000—1-12-12

(2)

21.11.

enjoyment of the revenue in question from the year of alienation to the year 1882 has been adduced. Although no evidence of enjoyment during the period 1883–1890 has been adduced, the case does not fall under Rule 19 of the Rules issued with G.Pro: of 2/8/1907, no: 2074-83/R.7.166-92. Govt. agreeing with the opinions of the Dy Comm and the Excise Comm hold that the Lhandar is to be regarded as privileged and as entitled to the excise revenue from toddy.

Rev Secretary to Govt.

To The Excise Comm in Mysore, with records.
The Comptroller to Govt.